

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.40216 of 2018

ORDER:

This Writ Petition is filed assailing the inaction on the part of the 4th respondent in receiving and registering the Sale Deed for the land to an extent of Acs.6.36 cents out of Ac.15.71 cents in Sy.No.71, situated at Srikantapuram Village of Hindupur Mandal, Anantapur district on the ground that the subject land is covered by Court Order in I.A.No.104 of 2018 in OS No.40 of 2018 and in I.A.No.106 of 2018 in O.S.No.41 of 2018 on the file of Senior Civil Judge, Hindupur.

It is the case of the petitioner that he purchased the subject property from its lawful owners Chakali Sriramappa and Chakali Adinarayana under a registered sale deed bearing document No.2770 of 2006, dated 23.06.2006. the vendors of the petitioner got the said property towards 2/3rd share out of total extent under a deed of family partition dated 21.07.1997 duly effected and signed by the share holders. That since the date of purchase, petitioner is in possession and enjoyment of the said property and revenue authorities also issued pattadar pass book in Form-1B (ROR) and also the title deed book for the subject land in favour of the petitioner by mutating his name in the revenue records. While so, when the petitioner intends to sell the subject land, the 4th respondent informed the petitioner by note dated 14.09.2018 that the subject land is covered by Court order in

I.A.No.104 of 2018 in OS No.40 of 2018 and in I.A.No.106 of 2018 in O.S.No.41 of 2018 on the file of Senior Civil Judge, Hindupur; that the suit schedule property in the aforesaid suits is different with that of the subject property. There are no orders against 4th respondent and also that he is not a party to the aforesaid suits. Therefore, the respondent No.4 cannot refuse registration of the petitioner.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing for respondents.

It is stated by the learned counsel for the petitioner that the *lis* in the writ petition is squarely covered by the order dated 20.01.2012 in WP No.1100 of 2012 and order 14.06.2018 passed by this Court in WP.No.32146 of 2016 and the same is not disputed by the learned Assistant Government Pleader for Revenue.

In view of the aforesaid submission, and for the reasons alike in WP.No.32146 of 2016, this writ petition is allowed. Unless the petitioner is a party to any order passed by a competent Court of law prohibiting alienation, the 4th respondent to process the document in accordance with law and release it in favour of the petitioner. No order as to costs. As a sequel thereto, miscellaneous petitions, if any pending shall stand closed.

Let a copy of the order dated 20.01.2012 in WP No.1100 of 2012 and order dated 14.06.2018 in WP.No.32146/2016 be annexed to this writ petition.

A.RAJASHEKER REDDY, J

22.11.2018
Note: Issue cc today.
tk/kvs

